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16 Attorneys for
17 Sun Microsystems, Inc.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION
14

15 NETWORK APPLIANCE, INC.

16 Plaintiff/Counterdefendant,

17 v.

18 SUN MICROSYSTEMS, INC.,

19 Defendant/Counterplaintiff.
20

CASE NO. C-07-06053 EDL (JCS); C-07-
05488 EDL (JCS); C-08-1641 EDL (JCS)

**~~PROPOSED~~ ORDER AND
STIPULATION REGARDING
EXTENSION TO EXCHANGE
SETTLEMENT PROPOSALS**

21 Sun Microsystems, Inc. ("Sun") and Network Appliance, Inc. ("NetApp"), by and through
22 their undersigned attorneys of record, hereby stipulate and agree as follows:

23 (1) No later than April 29, 2008, Sun and NetApp shall each make a settlement
24 proposal, in writing, with a copy to Judge Spero;

25 (2) No later than May 6, 2008, Sun and NetApp shall each respond and make a
26 counter-proposal, in writing, with a copy to Judge Spero;

27 -1-

(3) All other dates set forth in the March 3, 2008 and April 4, 2008 Notices of Settlement Conference and Settlement Conference Orders remain unchanged.

Dated: April 24, 2008

DLA PIPER US LLP

/s/ Christine K. Corbett

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Attorneys for
Sun Microsystems, Inc.

Dated: April 24, 2008

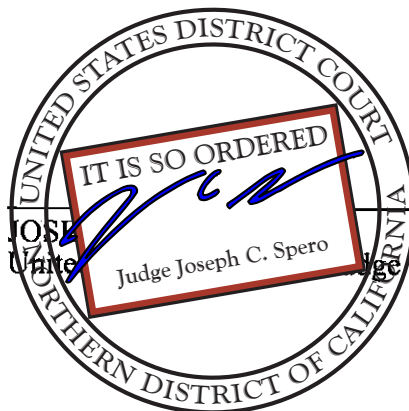
/s/ Jill J. Ho

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Attorneys for
Network Appliance, Inc.

IT IS SO ORDERED

Dated: April 28, 2008



-2-